

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

IN RE: )  
)  
FERNISA PARKER, ) BANKRUPTCY CASE NUMBER:  
) 05-12674  
DEBTOR. ) CHAPTER 13 CASE  
\*\*\*\*\*  
FERNISA PARKER, )  
)  
PLAINTIFF, )  
)  
vs. ) AP # 06-1139  
)  
PIONEER CREDIT COMPANY OF ALABAMA, INC., )  
D/B/A FIRST SOUTHEAST ACCEPTANCE )  
CORPORATION. )  
)  
DEFENDANT. )

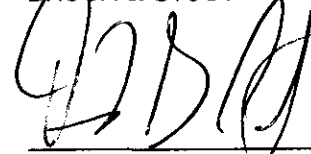
**NOTICE OF APPELLEE'S DESIGNATION OF ITEMS TO BE INCLUDED IN  
THE RECORD ON APPEAL**

Comes now the Appellee, by and through the undersigned attorney, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure and presents her designation of items to be included in the record on appeal. The designation of items are as follows:

- Plaintiff's Motion For An Award Of Costs And Attorney Fees.  
Filed on June 4, 2007.  
Identified on the records of the Clerk of Court in the underlying Adversary Proceeding as Docket Entry No. 38.  
Attached hereto as Exhibit "1".

Dated this 8th day of August, 2007.

BROCK & STOUT



David G. Poston, Esq.

Walter A. Blakeney, Esq.

Michael D. Brock, Esq.

Gary W. Stout, Esq.

Post Office Drawer 311167

Enterprise, Alabama 36330

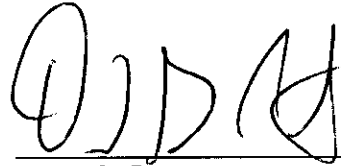
334-671-5555

334-671-2689 Facsimile

Email: [christal@circlecitylaw.com](mailto:christal@circlecitylaw.com)

**CERTIFICATE OF SERVICE**

I, the undersigned hereby certify that I have this date served a copy of the foregoing upon Thaddeus W. Morgan, Jr., Attorney for Appellant / Defendant, by electronic mail at twmjr\_law@yahoo.com this 8<sup>th</sup> day of August, 2007.

A handwritten signature in black ink, appearing to read 'DGP', is written over a horizontal line.

David G. Poston

**EXHIBIT "1"**

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

IN RE: )  
 )  
FERNISA PARKER, ) BANKRUPTCY CASE NUMBER  
 ) 05-12674  
 ) (CHAPTER 13 CASE)  
DEBTOR )

\*\*\*\*\*

FERNISA PARKER, )  
 )  
PLAINTIFF, )  
 )  
VS. ) AP# 06-1139  
 )  
PIONEER CREDIT COMPANY OF ALABAMA, INC., )  
D/B/A FIRST SOUTHEAST ACCEPTANCE )  
CORPORATION, )  
 )  
DEFENDANT. )

**PLAINTIFF'S MOTION FOR AN AWARD OF COSTS AND ATTORNEY FEES**

COMES NOW, the Plaintiff, Fernisa Parker, and moves this Honorable Court to order the Defendant, Pioneer Credit Company of Alabama, Inc., d/b/a First Southeast Acceptance Corporation (hereinafter, "First Southeast"), to pay to Plaintiff her costs and attorney fees for Defendant's violation of the bankruptcy automatic stay. As grounds for this motion, the Plaintiff states as follows:

1. On July 14, 2006, the Debtor, Fernisa Parker, filed an adversary proceeding against the Defendant alleging violation of the automatic stay.
2. The Defendant, First Southeast, was served a copy of the Complaint on July 19, 2006.
3. On August 15, 2006, the Defendant, First Southeast, filed a Motion To Dismiss, Answer and Counterclaim.
4. On September 13, 2006, this Honorable Court denied the Defendant's Motion To Dismiss.
5. On October 30, 2006, this Honorable Court held a Scheduling Conference in regard to the instant Adversary Proceeding.
6. The trial in the instant Adversary Proceeding was held on May 9, 2007, in Dothan, Alabama.

7. David G. Poston and Michael D. Brock, Counsel for the Plaintiff, have expended a total of **41.69** hours on behalf of the Plaintiff and in prosecution of the automatic stay claim against the Defendant.
8. Brock & Stout, LLC. (hereinafter, "The Firm") asserts a rate of \$215.00 per hour for services provided from January 1, 2006 to July 31, 2006, and a rate of \$250.00 per hour for services provided from August 1, 2006 to present. The Firm's contemporaneous time records are attached hereto as Exhibit "A."
9. The total lodestar calculation for The Firm's services in this matter is **\$10,385.90** (6.76 hours x \$215/hr = **\$1,453.40** + 35.73 hours x \$250/hr = **\$8,932.50** = **\$10,385.90** ).
10. The Firm's Paralegal expended **19.25** hours in prosecution of this matter. The Firm's Paralegal asserts a rate of \$70.00 per hour for services provided from January 1, 2006 to July 31, 2006, and a rate of \$75.00 per hour for services provided from August 1, 2006 to present. The total cost of the Paralegal's time thus-far is **\$1,425.00**.
11. The Firm's Associate Attorney expended **4.70** hours on behalf of the Plaintiff and in prosecution of this matter. The Firm's Associate Attorney asserts a rate of \$125.00 per hour, which brings the total cost of the Associate Attorney's time thus-far to **\$587.50**
12. The Firm incurred costs and expenses of **\$393.05** in prosecution of this adversary proceeding.
13. The Firm intends to submit a Supplemental Declaration after completing the hearing on the Motion For Attorney Fees. The Supplemental Declaration will detail the additional time and costs expended in replying to Defendant's responses and attending any scheduled hearing on the Plaintiff's request for attorney fees.

WHEREFORE, Plaintiff requests this Honorable Court award reasonable attorney fees for the services of the law firm of Brock & Stout, LLC. in the amount of **\$10,973.40**, award Paralegal fees in the amount of **\$1,425.00**, and costs of **\$393.05**, for a total of **\$12,791.45**. Plaintiff further requests this Honorable Court award costs and attorney fees for the time expended litigating this motion.

Respectfully submitted,

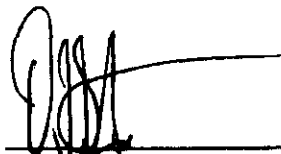
BROCK & STOUT



David G. Poston, Esq.  
Walter A. Blakeney, Esq.  
Michael D. Brock, Esq.  
Gary W. Stout, Esq.  
Post Office Drawer 311167  
Enterprise, Alabama 36330  
334-671-5555  
334-671-2689 Facsimile  
Email: [christal@circlecitylaw.com](mailto:christal@circlecitylaw.com)

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I have this date served a copy of the foregoing upon Pioneer Credit Company of Alabama, Inc., d/b/a First Southeast Acceptance Corporation, % Thadius W. Morgan, Jr., via electronic mail at twmir\_law@yahoo.com, this the \_\_\_\_\_ day of June, 2007:

A handwritten signature in black ink, appearing to read 'DGP', is written over a horizontal line.

David G. Poston

**EXHIBIT A**

BROCK & STOUT LLC  
P. O. DRAWER 311167  
ENTERPRISE, AL 36331-1167

May 31, 2007

In Reference To: VS. FIRST SOUTHEAST ACCEPTANCE CORP.

Invoice #10299

Professional Services

	<u>Hrs/Rate</u>		<u>Amount</u>
7/11/2006 Telephone call from Client. First Southeast Acceptance Corporation obtained a judgment against her and has served her with a Process Of Garnishment. The garnishment was served on her old employer. I do not believe that First Southeast has stay relief as to obtaining a judgment. I will research file.	0.50 215.00/hr	DGP	107.50
Researched bankruptcy file regarding First Southeast's request for relief from automatic stay. Judge Sawyer only granted in rem relief for both motions.	0.50 215.00/hr	DGP	107.50
7/13/2006 Researched corporate entity for Defendant, First Southeast Acceptance. Defendant is showing up as a Tennessee Corporation, under the name Pioneer Credit Company of Alabama, Inc.	0.50 215.00/hr	DGP	107.50
Dictated Complaint.	2.00 215.00/hr	DGP	430.00
Dictated Application For Preliminary Injunction	0.50 215.00/hr	DGP	107.50
Reviewed Complaint.	0.30 215.00/hr	DGP	64.50
7/14/2006 Transcribed Complaint and Application For Preliminary Injunction.	1.20 70.00/hr	CAR	84.00
Executed Complaint.	0.10 215.00/hr	MDB	21.50



	<u>Hrs/Rate</u>		<u>Amount</u>
7/14/2006 Executed Application For Preliminary Injunction.	0.10 DGP 215.00/hr		21.50
Set up file by preparing litigation notebook.	0.75 CAR 70.00/hr		52.50
Input client information into TimeSlips, TimeMatters, and client directory.	0.50 CAR 70.00/hr		35.00
Final preparation of file prior to filing lawsuit.	0.50 CAR 70.00/hr		35.00
Finalized and filed Complaint and Application For Preliminary Injunction.	0.30 CAR 70.00/hr		21.00
E-mailed copy of Application For Preliminary Injunction to Thadius W. Morgan, Jr., attorney for First Southeast Acceptance Corporation. Sent carbon copy of email to DP.	0.10 CAR 70.00/hr		7.00
Reviewed email from Court.	0.10 DGP 215.00/hr		21.50
Reviewed E-mail from court showing complaint filed as wrong type of adversary.	0.10 DGP 215.00/hr		21.50
Reviewed E-mail from court showing docketing of application for preliminary injunction.	0.10 DGP 215.00/hr		21.50
Meeting with Mike. Advised of the garnishment served on Mrs. Parker. Also provided him copy of Complaint and preliminary injunction. He requested that he be lead counsel on this case.	0.20 DGP 215.00/hr		43.00
Meeting with Poston regarding garnishment served on Debtor. Poston provided me a draft of the Complaint and preliminary injunction. I advised Poston that I wish to be lead counsel in this case.	0.20 MDB 215.00/hr		43.00
7/17/2006 Telephone call from Julia with Judge Sawyer's chambers. Preliminary injunction is scheduled for tomorrow at either 9:00 a.m. or at 1:30 p.m. She will call back with time.	0.10 DGP 215.00/hr		21.50
Telephone call from Julia with Judge Sawyer's chambers. Preliminary injunction is scheduled for tomorrow at 1:30 p.m. Bill Morgan is out of town. Judge wants to hold hearing anyway.	0.10 DGP 215.00/hr		21.50
Email from court. Prelim is scheduled for tomorrow at 1:30 p.m.	0.10 DGP 215.00/hr		21.50
Telephone call to Mike to determine which of us will handle hearing.	0.10 DGP 215.00/hr		21.50

	<u>Hrs/Rate</u>		<u>Amount</u>
7/17/2006 Telephone call from David. Hearing on Preliminary Injunction scheduled for tomorrow. David will handle hearing.	0.10 MDB 215.00/hr		21.50
Conference with Christal. Hearing on preliminary injunction continued until 7/19 at 10:00 a.m.	0.10 DGP 215.00/hr		21.50
E-mail electronic notice: Received & reviewed summons in adversary proceeding.	0.10 DGP 215.00/hr		21.50
7/19/2006 Prepared Certificate of Service.	0.20 CAR 70.00/hr		14.00
Executed Certificate of Service.	0.10 DGP 215.00/hr		21.50
Finalized and filed Certificate of Service.	0.20 CAR 70.00/hr		14.00
Telephone conference on preliminary injunction. Judge Sawyer issued preliminary injunction effective 10:22a.m. on July 19, 2006.	0.16 DGP 215.00/hr		34.40
Telephone call to Judge Paul Sherling. Advised of injunction and fact that there is no relief from co-debtor stay.	0.20 DGP 215.00/hr		43.00
Telephone call to Mike Brock. Updated him on progress of preliminary injunction and Judge Sawyer's comments.	0.10 DGP 215.00/hr		21.50
Telephone call from David Poston. Updated me regarding results of hearing on preliminary injunction. Also discussed Judge Sawyer's comments which were noted on the record.	0.10 MDB 215.00/hr		21.50
7/20/2006 E-mail notification: Received & reviewed summons in adversary proceeding.	0.10 DGP 215.00/hr		21.50
E-mail notification: Received & reviewed notice of telephone hearing on July 18, 2006, at 1:30 p.m., regarding plaintiff's application for preliminary injunction.	0.10 DGP 215.00/hr		21.50
8/15/2006 Reviewed Answer filed by Morgan on behalf of First SE. Defendant also seeks dismissal of the Plaintiff's lawsuit.	0.30 DGP 250.00/hr		75.00
Reviewed Answer filed by Morgan on behalf of First SE.	0.50 MDB 250.00/hr		125.00
Telephone call from Mike Brock. Discussed defendant's motion to dismiss. I will file brief.	0.20 DGP 250.00/hr		50.00
Telephone call to Poston. He will file the brief in response to defendant's Motion to Dismiss.	0.20 MDB 250.00/hr		50.00

	<u>Hrs/Rate</u>		<u>Amount</u>
8/16/2006 Reviewed Order setting hearing on Defendant's Motion to Dismiss.	0.10 DGP 250.00/hr		25.00
9/5/2006 Preparation of pleadings. Began preparing Plaintiff's Response to Motion to Dismiss. As I began assembling documents, the matter is probably a motion for summary judgment. I will ask Judge Williams to treat it as such.	1.28 DGP 250.00/hr		320.00
9/6/2006 Court Appearance for Hearing -- Attended court hearing on Defendant's motion to dismiss. Judge Williams denied the motion to dismiss. Judge Williams ruled from the bench that the prior order granting relief from the automatic stay was in rem relief only. He made these findings from the bench.	0.75 DGP 250.00/hr		187.50
9/13/2006 E-mail -- Received & reviewed order denying defendant's motion to dismiss.	0.10 DGP 250.00/hr		25.00
10/5/2006 Reviewed E-mail notification from Court setting scheduling conference for October 19, 2006, by telephone.	0.10 DGP 250.00/hr		25.00
Conference with Mike Brock advising that Scheduling Conference has been set for October 19, 2006. Also discussed other aspects of case.	0.20 DGP 250.00/hr		50.00
Conference with Poston advising that Scheduling Conference has been set for October 19, 2006. Also discussed other aspects of case.	0.20 MDB 250.00/hr		50.00
10/18/2006 E-mail notification from Court. Defendant filed motion to continue.	0.20 DGP 250.00/hr		50.00
10/19/2006 Telephone hearing. The Judge ordered the scheduling conference continued to October 30, 2006, at 10:15 a.m., by telephone. Mrs. Vance will call at that time.	0.20 DGP 250.00/hr		50.00
10/24/2006 E-mail from Court-Order continuing scheduling conference.	0.10 CAR 75.00/hr		7.50
Reviewed E-mail notification from court that scheduling conference was continued to October 30, 2006, at 10:15, by telephone.	0.10 DGP 250.00/hr		25.00
10/25/2006 Calendared date for Telephonic Scheduling Conference that was continued from 10/19/06 to 10/30/06.	0.10 CAR 75.00/hr		7.50
10/30/2006 Telephonic hearing with Court. Scheduling conference. 120 day discovery cutoff. Trial set for May 9, 2007, at 1:30 p.m.	0.20 DGP 250.00/hr		50.00
Dictated answer to counter claim. Dictated Motion To Dismiss counter claim.	0.50 DGP 250.00/hr		125.00
10/31/2006 E-mail to Christal. Advised her to begin getting deposition dates for defendant's 30(b)(6) and for Mr. Parker of 1st S.E. Acceptance.	0.20 DGP 250.00/hr		50.00

	<u>Hrs/Rate</u>	<u>Amount</u>
10/31/2006 Telephone call to Bill Morgan's office. Spoke with Toni, his Legal Secretary. I inquired as to whether or not Mr. Morgan would be available for depositions on November 17th. She stated that this date would be good for them because Mr. Morgan so far does not have anything scheduled. I told her we wanted to depose various representatives of Pioneer as well as Mr. Parker at First Southeast. She stated that she would not know who we would need to depose at Pioneer because it is d/b/a First Southeast. She told me she would be willing to contact First Southeast to find out who would have direct knowledge of the situation at hand, and would let me know their names so that we could depose them as well. I told her I would check with David. She also stated that they would be willing to allow us to use their conference room if we did not have one available at our office.	0.10 CAR 75.00/hr	7.50
E-mail to David outlining conversation with Toni at Bill Morgan's office.	0.10 CAR 75.00/hr	7.50
E-mail from Christal. November 17, 2006, is a possibility for depositions. I will check with Mike.	0.10 DGP 250.00/hr	25.00
E-mail to Mike. Asked him to check his schedule for November 17, 2006.	0.10 DGP 250.00/hr	25.00
E-mail from Poston regarding depositions on November 17, 2006.	0.10 MDB 250.00/hr	25.00
E-mail to Poston. I'm OK with November 17, 2006.	0.10 MDB 250.00/hr	25.00
E-mail from Mike. November 17, 2006, meets fits his schedule. Wants to depose in Enterprise office.	0.10 DGP 250.00/hr	25.00
E-mail to Christal. November 17, 2006, is good. See if we can schedule for Enterprise office.	0.10 DGP 250.00/hr	25.00
Reviewed E-mail notification from court of receipt of plaintiff's answer to counter-claim.	0.10 DGP 250.00/hr	25.00
Reviewed E-mail notification from court of receipt of notice of plaintiff's motion to dismiss counter-claim.	0.10 DGP 250.00/hr	25.00
11/1/2006 Reviewed E-mail from Court--Defendant's Motion To Continue Hearing on Plaintiff's Motion To Dismiss Counterclaim.	0.10 CAR 75.00/hr	7.50
Reviewed E-mail notification from court setting telephone hearing on Plaintiff's Motion to Dismiss counter-claim. Telephone hearing scheduled for November 16, 2006.	0.10 DGP 250.00/hr	25.00
Reviewed E-mail notification from court of notice of deposition filed by Plaintiff.	0.10 DGP 250.00/hr	25.00

	<u>Hrs/Rate</u>		<u>Amount</u>
11/1/2006 E-mail notification from court. Received & reviewed scheduling order.	0.20 DGP 250.00/hr		50.00
Memo to Debbie to calendar discovery cut-off.	0.10 DGP 250.00/hr		25.00
Reviewed defendant's motion to continue hearing on plaintiff's motion to dismiss counter-claim.	0.10 DGP 250.00/hr		25.00
11/2/2006 Calendared events per scheduling order dated November 1, 2006.	0.20 CAR 75.00/hr		15.00
Calendared Notice of Hearing on Plaintiff's Motion To Dismiss Counterclaim. Hearing is set for November 16, 2006 via telephone docket.	0.10 CAR 75.00/hr		7.50
Reviewed E-mail notification of order granting defendant's motion to continue. Hearing re-scheduled for November 29, 2006, at 10:00 a.m. in Dothan.	0.10 DGP 250.00/hr		25.00
11/16/2006 Preparation for Deposition.	0.30 MDB 250.00/hr		75.00
11/17/2006 Continued preparation for Deposition.	0.70 MDB 250.00/hr		175.00
Deposition of Jerry Parker with First Southeast Acceptance Corporation.	1.40 MDB 250.00/hr		350.00
Deposition of Jerry Parker with First Southeast Acceptance Corporation.	1.40 DGP 250.00/hr		350.00
Meeting with David and Gary following deposition of Jerry Parker.	0.40 MDB 250.00/hr		100.00
Meeting with Mike and Gary after Jerry Parker's deposition.	0.40 DGP 250.00/hr		100.00
11/20/2006 Dictated discovery consisting of Request For Production, Request For Admission, and Interrogatories.	0.50 DGP 250.00/hr		125.00
Dictated memo regarding client and witness interviews. Also dictated settlement letter to Bill Morgan.	0.50 DGP 250.00/hr		125.00
11/21/2006 Transcribed discovery--Request For Production and Request For Admission Of Fact.	0.50 CAR 75.00/hr		37.50
Transcribed memo.	0.30 CAR 75.00/hr		22.50

	<u>Hrs/Rate</u>	<u>Amount</u>
11/21/2006 Transcribed letter to Bill Morgan regarding settlement offer.	0.20 CAR 75.00/hr	15.00
Telephone call to client. Left message.	0.10 CAR 75.00/hr	7.50
Telephone call from client. Received information David requested per memo. I also set her up an appointment to talk with Mike in Enterprise on 11/30/06 at 1:00 p.m.	0.26 CAR 75.00/hr	19.50
Telephone call to Johnnie Sanders (Mrs. Parker's mom). No answer.	0.10 CAR 75.00/hr	7.50
Letter to Johnnie Sanders. Requested that she contact office and set up an appointment with Mike.	0.10 CAR 75.00/hr	7.50
11/22/2006 Made copies of discovery and cover letter for mailing to Bill Morgan.	0.10 CAR 75.00/hr	7.50
Telephone call from April. She stated that Court Reporter, Karen Strickland, needed an Exhibit from the file. She gave me her contact information.	0.10 CAR 75.00/hr	7.50
Telephone call to Karen Strickland. She indicated that she needed me to provide her with Exhibit number 5. I told her I would find it and call her back.	0.10 CAR 75.00/hr	7.50
File Review--Reviewed bankruptcy file and consumer law file to determine exhibit requested by Karen.	0.20 CAR 75.00/hr	15.00
Telephone call to Karen Strickland. Told her about document I found. She stated that this is the Exhibit that she is missing and asked me to fax it to her.	0.10 CAR 75.00/hr	7.50
Faxed Exhibit 3 to Karen Strickland for deposition transcript.	0.10 CAR 75.00/hr	7.50
Reviewed correspondence to Bill Morgan and reviewed interrogatories, request for admission, and request for production. Executed same.	0.50 DGP 250.00/hr	125.00
11/29/2006 Court hearing - attended hearing on plaintiff's motion to dismiss counterclaim. Motion to dismiss granted.	0.40 DGP 250.00/hr	100.00
12/4/2006 Prepared additional interrogatories.	0.30 DGP 250.00/hr	75.00
12/5/2006 Transcribed Plaintiff's Second set of Interrogatories to Defendant.	0.50 CAR 75.00/hr	37.50

		<u>Hrs/Rate</u>	<u>Amount</u>
12/5/2006	Executed Plaintiff's second set of interrogatories to Defendant. Made revisions thereafter.	0.20 DGP 250.00/hr	50.00
	E-mail notification- received and reviewed order granting Motion to Dismiss counter claim.	0.10 DGP 250.00/hr	25.00
12/15/2006	Transcribed revisions to Second Set of Interrogatories to Defendant.	0.20 CAR 75.00/hr	15.00
12/18/2006	Telephone call to Court Reporter. Left message requesting revised transcript pages.	0.10 CAR 75.00/hr	7.50
12/19/2006	Finalized Second Set of Interrogatories To Defendant. Also transcribed cover letter to Bill Morgan.	0.20 CAR 75.00/hr	15.00
	Telephone call from Karen Strickland, Court Reporter. Forgot to send revised pages. Will prepare and send today.	0.10 CAR 75.00/hr	7.50
1/8/2007	Calendared reminder in Outlook to notify me of discovery responses that were due on 12/21/06, and for discovery responses that will be due on 1/18/07. Set this up to remind me each day until responses are received.	0.20 CAR 75.00/hr	15.00
	E-mail to David notifying him of discovery response due dates.	0.10 CAR 75.00/hr	7.50
	Reviewed litigation file to determine discovery response dates.	0.20 DGP 250.00/hr	50.00
1/9/2007	Dictated letter to Bill Morgan regarding discovery.	0.10 DGP 250.00/hr	25.00
1/10/2007	Transcribed letter to Bill Morgan regarding status of discovery responses.	0.10 CAR 75.00/hr	7.50
1/16/2007	Case was on calendar for today to determine if defendant responded to discover. Reviewed file to determine if defendant replied. Has not.	0.20 DGP 250.00/hr	50.00
	Dictated second letter to Bill Morgan asking for discovery.	0.10 DGP 250.00/hr	25.00
	E-mail from David. Asked that I send a second follow up letter to Bill Morgan's regarding Defendant's discovery responses.	0.10 CAR 75.00/hr	7.50
	File Review--Responses to second set of discovery is will be due on Thursday, January 18, 2007.	0.10 CAR 75.00/hr	7.50
1/24/2007	Dictated motion to compel production of documents and answers to interrogatories.	0.50 DGP 250.00/hr	125.00

	<u>Hrs/Rate</u>		<u>Amount</u>
1/24/2007 Dictated motion to deem facts admitted.	0.20 DGP 250.00/hr		50.00
1/29/2007 Transcribed Motion To Compel and Motion To Deem Facts Admitted.	1.00 CAR 75.00/hr		75.00
Meeting with Christal regarding motion to compel. Second set of interrogatory answers due. Advised Christal to modify motion to compel to include both sets.	0.10 DGP 250.00/hr		25.00
1/31/2007 Email Notification; Received and reviewed--Motion For Request For Admission Deemed Admitted.	0.10 DGP 250.00/hr		25.00
Email Notification; Received and reviewed--Motion For Request For Admission Deemed Admitted.	0.10 CAR 75.00/hr		7.50
Email Notification; Received and reviewed--Motion To Compel	0.10 CAR 75.00/hr		7.50
Email Notification; Received and reviewed--Motion To Compel	0.10 DGP 250.00/hr		25.00
2/1/2007 Finalized and filed Motion To Compel and Motion To Deem Facts Admitted.	0.20 CAR 75.00/hr		15.00
2/2/2007 Email Notification; Received and reviewed--Notice of Hearing On Motion To Compel.	0.10 DGP 250.00/hr		25.00
Email Notification; Received and reviewed--Notice of Hearing On Motion To Compel.	0.10 CAR 75.00/hr		7.50
Calendared hearing date per Notice of Hearing dated 2/2/07 regarding Plaintiff's Motion To Compel. Hearing is scheduled for 2/15/07 by telephone at 9:00 a.m.	0.10 CAR 75.00/hr		7.50
2/7/2007 Received and reviewed discovery responses that I received from Defendant this date.	0.50 DGP 250.00/hr		125.00
Conference with Christal. Instructed her to prepare Notice Of Withdrawal of Motion To Compel.	0.10 DGP 250.00/hr		25.00
Conference with David. Asked me to prepare Notice Of Withdrawal of Motion To Compel.	0.10 CAR 75.00/hr		7.50
2/13/2007 Telephone call from Bill Morgan. Wanted to know if we were going through with Motion to Compel. I'll call Poston.	0.10 MDB 250.00/hr		25.00
Telephone call to Poston asked him to call Morgan regarding Motion to Compel.	0.10 MDB 250.00/hr		25.00



		<u>Hrs/Rate</u>	<u>Amount</u>
2/13/2007	Telephone call from Mike wants me to call Bill Morgan about the Motion to Compel.	0.10 DGP 250.00/hr	25.00
	Dictated withdrawal of Motion to Compel.	0.20 DGP 250.00/hr	50.00
2/14/2007	Reviewed and executed Notice Of Withdrawal Of Document.	0.10 DGP 250.00/hr	25.00
	Finalized and filed Notice Of Withdrawal Of Motion To Compel.	0.10 CAR 75.00/hr	7.50
	Telephone call from Anna Williams. She was calling about Court hearings tomorrow. I informed her that I filed a Notice Of Withdrawal Of Motion To Compel in this case, and that it would need to be removed from tomorrow's docket. She indicated that she would make a note and inform the Judge.	0.10 CAR 75.00/hr	7.50
2/15/2007	Hearing on Motion to Compel. Advised Judge Williams that Motion was withdrawn.	0.20 DGP 250.00/hr	50.00
2/23/2007	File Review--Reviewed file to determine if all of the Plaintiff's Discovery requests were responded to by the Defendant. It appears that possibly all but one of the responses were answered. Specifically, question number 1 in the Plaintiff's Request For Production indicates that the items we requested (the Plaintiff's entire credit file) was provided; however, I do not see where we have a credit report.	0.20 CAR 75.00/hr	15.00
	E-mail to David notifying him that Defendant did not provide us a copy of the Plaintiff's credit report. I was unsure as to whether or not his Request For Production was referring to this.	0.10 CAR 75.00/hr	7.50
	E-mail from Christal. Reviewed responses and all responses are in order.	0.20 DGP 250.00/hr	50.00
	Reply email from David indicating that the information the Defendant provided to us would be sufficient, and that if we do not have a credit report then ok.	0.10 CAR 75.00/hr	7.50
	Reply email to David confirming receipt of his email.	0.10 CAR 75.00/hr	7.50
4/17/2007	File Review--Trial is set for May 9, 2007. Calendared deadlines to remind me to prepare specific items for trial.	0.20 CAR 75.00/hr	15.00
	E-mail to David reminding him of upcoming trial date next month. I also asked him when to set Ms. Parker up an appointment to prepare her for trial.	0.10 CAR 75.00/hr	7.50

	<u>Hrs/Rate</u>		<u>Amount</u>
4/17/2007 E-mail from Christal. Advised of trial date. Asked when she would need to get in touch with Ms. Parker and schedule an appointment.	0.10 DGP 250.00/hr		25.00
5/1/2007 Telephone call to Mike Brock. Trial is scheduled for next week. Inquired about his schedule for next week. We have to determine when to meet with client. He will check his calendar and we will discuss tomorrow morning.	0.20 DGP 250.00/hr		50.00
Telephone call from David Poston. Reminded me that we have a trial in this case next week. We need to arrange a time to meet with the client.	0.20 MDB 250.00/hr		50.00
5/2/2007 Meeting with Mike regarding upcoming trial. Discovered that we did not meet a pre-trial disclosure deadline scheduled for April 25, 2007. We need to forthwith file our evidence, exhibits, and depositions. Also need to file a request to extend the time to object. Mike will set about contacting Ms. Parker to discuss upcoming trial. We also need to file a list of witnesses. Mike will meet with Ms. Parker to determine whether there are third parties who can testify as to damages.	0.50 DGP 250.00/hr		125.00
Meeting with David Poston regarding upcoming trial. I will interview Ms. Parker to discuss direct examination and to determine whether there are other witnesses.	0.50 MDB 250.00/hr		125.00
Dictated Pretrial Disclosures and reviewed file for documents.	1.50 DGP 250.00/hr		375.00
Transcribed Pretrial Disclosures.	0.50 CAR 75.00/hr		37.50
Prepared exhibits for trial on 5/9/07. Marked all copies for the Court. Made copies of all exhibits to be entered into evidence. Organized each exhibit to be introduced into binders, with corresponding binder tabs and index. Also made copies for all Counsel.	5.44 CAR 75.00/hr		408.00
5/3/2007 Email Notification; Received and reviewed Submission Of Pretrial Documents; Defendant's Pretrial Disclosures.	0.10 CAR 75.00/hr		7.50
Email Notification; Received and reviewed Submission Of Pretrial Documents; Defendant's Pretrial Disclosures.	0.10 DGP 250.00/hr		25.00
Reviewed Defendant's pretrial disclosures.	0.20 DGP 250.00/hr		50.00
Reviewed Defendant's pretrial disclosures.	0.20 MDB 250.00/hr		50.00
5/7/2007 Trial preparation including review of depositions and file material in preparation for trial on May 9, 2007.	3.00 MDB 250.00/hr		750.00

	<u>Hrs/Rate</u>	<u>Amount</u>
5/8/2007 Reviewed Jerry Parker's deposition.	1.00 MDB 250.00/hr	250.00
Trial preparation consisting of preparing questions for direct examination of Fernisa Parker and of Jerry Parker.	1.50 MDB 250.00/hr	375.00
5/9/2007 Meeting with Plaintiff's mother, Johnnie Mae Sanders, regarding damages.	0.50 DGP 250.00/hr	125.00
Attended trial before the Honorable Dwight H. Williams, Jr.	2.25 DGP 250.00/hr	562.50
Attended trial before the Honorable Dwight H. Williams, Jr.	2.25 MDB 250.00/hr	562.50
Post-trial debriefing and strategy as to how best to proceed regarding punitive damages.	0.50 DGP 250.00/hr	125.00
Post-trial debriefing and strategy as to how best to proceed regarding punitive damages.	0.50 MDB 250.00/hr	125.00
Meeting with Walter. Assigned him task of finding whether faulty legal advise may be a bar to punitive damages.	0.10 DGP 250.00/hr	25.00
Researched a link between incompetent or ineffective counsel and punitive damages.	1.80 WB 125.00/hr	225.00
5/10/2007 Memo to Walter. Requested research regarding emotional injuries.	0.10 DGP 250.00/hr	25.00
5/15/2007 Reviewed pre-bill worksheet and noted necessary changes.	0.50 WB 125.00/hr	62.50
Meeting with Walter Blakeney. Advised of grammatical and spelling errors that should be corrected in our detailed billing.	0.20 CAR 75.00/hr	15.00
Meeting with Christal. Indicated spelling and grammatical errors that should be corrected in billing.	0.20 WB 125.00/hr	25.00
Revisions to detailed billing. Corrected spelling and grammatical errors per Walter Blakeney's instruction.	0.20 CAR 75.00/hr	15.00
E-mail to David. Advised that the bill is ready for his review.	0.10 CAR 75.00/hr	7.50
E-mail from Christal. Advised that spelling and grammatical errors have been corrected. Indicated that the bill is ready for my review.	0.10 DGP 250.00/hr	25.00
5/16/2007 Begin research regarding emotional injuries and what testimony is necessary to prove those injuries.	0.70 WB 125.00/hr	87.50

	<u>Hrs/Rate</u>	<u>Amount</u>
5/21/2007 Research regarding punitive damages and the reduction of such damages based on good-faith reliance and legal counsel.	1.50 WB 125.00/hr	187.50
5/30/2007 Reviewed final bill.	1.00 DGP 250.00/hr	250.00
Dictated Motion For Costs And Attorney Fees and Affidavits In Support Of Request For Attorney Fees.	1.50 DGP 250.00/hr	375.00
5/31/2007 Transcribed Motion For Costs And Attorney Fees and Affidavits In Support Of Request For Attorney Fees.	1.00 CAR 75.00/hr	75.00
Reviewed and executed Affidavit In Support Of Request For Attorney Fees.	0.20 MDB 250.00/hr	50.00
6/1/2007 Reviewed Motion For Costs And Attorney Fees and my fee affidavit. Made revisions both.	0.30 DGP 250.00/hr	75.00
Transcribed revisions to Motion For Costs And Attorney Fees and Poston's Affidavit In Support Of Request For Attorney Fees.	0.20 CAR 75.00/hr	15.00
Reviewed and executed final copy of Motion For Costs And Attorney Fees and Affidavit In Support Of Request For Attorney Fees.	0.20 DGP 250.00/hr	50.00
Finalized and filed Motion For Costs And Attorney Fees and both fee affidavits.	0.30 CAR 75.00/hr	22.50
For professional services rendered	66.44	\$12,398.40
Additional Charges :		
11/21/2006 Mailing--Letter to Johnnie Sanders.		0.89
1 Envelope @ \$0.25		
1 Page @ \$0.25		
Postage @ \$0.39		
11/22/2006 Mailing--Discovery and cover letter to Bill Morgan.		4.12
1 Envelope @ \$0.25		
12 Pages @ \$0.25		
Postage @ \$0.87		
12/19/2006 Mailing--Mailed Second Set of Interrogatories and cover letter to Bill Morgan.		1.64
1 Envelope @ \$0.25		
4 Pages @ \$0.25		
Postage @ \$0.39		

Page 14

	<u>Amount</u>
12/29/2006 Deposition Costs for deposition of Jerry Parker with First Southeast Acceptance. (Invoice was dated 11/22/06.)	322.25
1/10/2007 Mailing--Initial letter to Bill Morgan requesting responses to first set of discovery.	0.89
1 Envelope @ \$0.25	
1 Page @ \$0.25	
Postage @ \$0.39	
1/16/2007 Mailing--Second letter to Bill Morgan requesting discovery responses.	0.89
1 Envelope @ \$0.25	
1 Page @ \$0.25	
Postage @ \$0.39	
2/1/2007 Mailing--Mailed Motion To Compel and Motion To Deem Facts Admitted to Bill Morgan.	4.37
1 Envelope @ \$0.25	
13 Pages @ \$0.25	
Postage @ \$0.87	
5/7/2007 Copying cost for Trial Exhibits.	58.00
4 Trial packets consisting of 58 pages per packet = 232 pages x \$0.25 = \$58.00.	
Total additional charges	<u>\$393.05</u>
Total amount of this bill	<u>\$12,791.45</u>
Balance due	<u><u>\$12,791.45</u></u>